

United States Bankruptcy Court  
Middle District of Pennsylvania

In re:  
Timothy Alan Rush  
Debtor

Case No. 23-00417-HWV  
Chapter 13

District/off: 0314-1  
Date Rcvd: Apr 07, 2023

User: AutoDocke  
Form ID: pdf002

Page 1 of 2  
Total Noticed: 16

The following symbols are used throughout this certificate:

**Symbol** **Definition**

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
- ++ Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 09, 2023:**

<b>Recip ID</b>	<b>Recipient Name and Address</b>
db	+ Timothy Alan Rush, 1402 Harcourt Drive, Harrisburg, PA 17110-3009
5524497	+ JP Harris Associates, LLC, PO Box 226, Mechanicsburg, PA 17055-0226
5524501	+ Susquehanna Township Tax Authority, 1900 Linglestown Road, Harrisburg, PA 17110-3301

TOTAL: 3

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

<b>Recip ID</b>	<b>Notice Type: Email Address</b>	<b>Date/Time</b>	<b>Recipient Name and Address</b>
cr	+ Email/PDF: acg.acg.ebn@aisinfo.com	Apr 07 2023 18:37:52	Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
5524494	+ Email/PDF: acg.coaf.ebn@aisinfo.com	Apr 07 2023 18:37:52	Capital One Auto Finance, Attn: Bankruptcy, 7933 Preston Rd, Plano, TX 75024-2302
5525612	+ Email/PDF: acg.acg.ebn@aisinfo.com	Apr 07 2023 18:37:46	Capital One Auto Finance, a division of, AIS Portfolio Services, LLC, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
5532326	+ Email/PDF: acg.acg.ebn@aisinfo.com	Apr 07 2023 18:37:46	Capital One Auto Finance, a division of Capital On, P.O. Box 4360, Houston, TX 77210-4360
5524495	Email/PDF: DellBKNotifications@resurgent.com	Apr 07 2023 18:37:47	Dell Financial Services, Attn: Bankruptcy, P.O. Box 81577, Austin, TX 78708
5524496	Email/Text: sbse.cio.bnc.mail@irs.gov	Apr 07 2023 18:36:00	Internal Revenue Service, P.O. Box 7346, Philadelphia, PA 19101-7346
5527076	Email/PDF: resurgentbknotifications@resurgent.com	Apr 07 2023 18:37:47	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
5528581	Email/PDF: resurgentbknotifications@resurgent.com	Apr 07 2023 18:37:52	LVNV Funding, LLC c/o Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
5524498	+ Email/Text: bankruptcy@marinerfinance.com	Apr 07 2023 18:36:00	Mariner Finance, LLC, Attn: Bankruptcy, 8211 Town Center Drive, Nottingham, MD 21236-5904
5524499	Email/Text: RVSVCBICNOTICE1@state.pa.us	Apr 07 2023 18:36:00	Pennsylvania Department of Revenue, P O Box 280946, Harrisburg, PA 17128-0946
5524500	+ Email/PDF: resurgentbknotifications@resurgent.com	Apr 07 2023 18:37:47	Resurgent Capital Services, Attn: Bankruptcy, Po Box 10497, Greenville, SC 29603-0497
5530276	+ Email/Text: BK@servicingdivision.com	Apr 07 2023 18:36:00	The Money Source Inc., 500 South Broad Street Suite 100A, Meriden, Connecticut 06450-6755
5524502	+ Email/Text: BK@servicingdivision.com	Apr 07 2023 18:36:00	The Money Source Inc., 500 South Broad Street, Suite 100A, Meriden, CT 06450-6755

TOTAL: 13

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
5527092	*P++	DELL FINANCIAL SERVICES, P O BOX 81577, AUSTIN TX 78708-1577, address filed with court:, Dell Financial Services, LLC, Resurgent Capital Services, PO Box 10390, Greenville, SC 29603-0390

TOTAL: 0 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 09, 2023

Signature: /s/Gustava Winters

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 7, 2023 at the address(es) listed below:

Name	Email Address
Jack N Zaharopoulos	TWeef@pamd13trustee.com
Michael Patrick Farrington	on behalf of Creditor NBS - Specialized Loan Servicing LLC mfarrington@kmllawgroup.com
Nicholas G. Platt	on behalf of Debtor 1 Timothy Alan Rush ngp@mooney4law.com plattnr61895@notify.bestcase.com
United States Trustee	ustpregion03.ha.ecf@usdoj.gov

TOTAL: 4

## LOCAL BANKRUPTCY FORM 3015-1

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:  
**Timothy Alan Rush**

CHAPTER 13  
CASE NO. |

- ORIGINAL PLAN
- \_\_\_\_\_ AMENDED PLAN (Indicate 1st, 2nd, 3rd, etc.)
- Number of Motions to Avoid Liens
- Number of Motions to Value Collateral

## CHAPTER 13 PLAN

## NOTICES

Debtors must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not Included" or if both boxes are checked or if neither box is checked, the provision will be ineffective if set out later in the plan.

1	The plan contains nonstandard provisions, set out in § 9, which are not included in the standard plan as approved by the U.S. Bankruptcy Court for the Middle District of Pennsylvania.	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
2	The plan contains a limit on the amount of a secured claim, set out in § 2.E, which may result in a partial payment or no payment at all to the secured creditor.	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
3	The plan avoids a judicial lien or nonpossessory, nonpurchase-money security interest, set out in § 2.G.	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included

## **YOUR RIGHTS WILL BE AFFECTED**

READ THIS PLAN CAREFULLY. If you oppose any provision of this plan, you must file a timely written objection. This plan may be confirmed and become binding on you without further notice or hearing unless a written objection is filed before the deadline stated on the Notice issued in connection with the filing of the plan.

## 1. PLAN FUNDING AND LENGTH OF PLAN.

#### A. Plan Payments From Future Income

1. To date, the Debtor paid \$ 0.00 (enter \$0 if no payments have been made to the Trustee to date). Debtor shall pay to the Trustee for the remaining term of the plan the following payments. If applicable, in addition to monthly plan payments, Debtor shall make conduit payments through the Trustee as set forth below. The total base plan is **\$188,700.00**, plus other payments and property stated in § 1B below:

2. If the plan provides for conduit mortgage payments, and the mortgagee notifies the Trustee that a different payment is due, the Trustee shall notify the Debtor and any attorney for the Debtor, in writing, to adjust the conduit payments and the plan funding. Debtor must pay all post-petition mortgage payments that come due before the initiation of conduit mortgage payments.

3. Debtor shall ensure that any wage attachments are adjusted when necessary to conform to the terms of the plan.

4. CHECK ONE:  Debtor is at or under median income. *If this line is checked, the rest of § 1.A.4 need not be completed or reproduced.*

Debtor is over median income. Debtor estimates that a minimum of **\$164,780.40** must be paid to allowed unsecured creditors in order to comply with the Means Test.

**B. Additional Plan Funding From Liquidation of Assets/Other**

1. The Debtor estimates that the liquidation value of this estate is **\$0.00**. (Liquidation value is calculated as the value of all non-exempt assets after the deduction of valid liens and encumbrances and before the deduction of Trustee fees and priority claims.)

*Check one of the following two lines.*

No assets will be liquidated. *If this line is checked, the rest of § 1.B.2 and complete § 1.B.3 if applicable*

Certain assets will be liquidated as follows:

2. In addition to the above specified plan payments, Debtor shall dedicate to the plan proceeds in the estimated amount of \$\_\_ from the sale of property known and designated as \_\_\_. All sales shall be completed by \_\_\_. If the property does not sell by the date specified, then the disposition of the property shall be as follows:

3. Other payments from any source(s) (describe specifically) shall be paid to the Trustee as follows:

**2. SECURED CLAIMS.**

**A. Pre-Confirmation Distributions. Check one.**

None. *If "None" is checked, the rest of § 2.A need not be completed or reproduced.*

Adequate protection and conduit payments in the following amounts will be paid by the Debtor to the Trustee. The Trustee will disburse these payments for which a proof of claim has been filed as soon as practicable after receipt of said payments from the Debtor.

Name of Creditor	Last Four Digits of Account Number	Estimated Monthly Payment
The Money Source Inc.   500 South Broad Street; Suite 100A; Meriden, CT 06450	8779	\$1,850.00

1. The Trustee will not make a partial payment. If the Debtor makes a partial plan payment, or if it is not paid on time and the Trustee is unable to pay timely a payment due on a claim in this section, the Debtor's cure of this default must include any applicable late charges.

2. If a mortgagee files a notice pursuant to Fed. R. Bankr. P. 3002.1(b), the change in the conduit payment to the Trustee will not require modification of this plan.

**B. Mortgages (Including Claims Secured by Debtor's Principal Residence) and Other Direct Payments by Debtor. Check one.**

None. *If "None" is checked, the rest of § 2.B need not be completed or reproduced.*

Payments will be made by the Debtor directly to the creditor according to the original contract terms, and without

modification of those terms unless otherwise agreed to by the contracting parties. All liens survive the plan if not avoided or paid in full under the plan.

Name of Creditor	Description of Collateral	Last Four Digits of Account Number
Capital One Auto Finance	2017 GMC Sierra 1500 67000 miles Vehicle:	1001

**C. Arrears (Including, but not limited to, claims secured by Debtor's principal residence). Check one.**

None. *If "None" is checked, the rest of § 2.C need not be completed or reproduced.*

The Trustee shall distribute to each creditor set forth below the amount of arrearages in the allowed claim. If post-petition arrears are not itemized in an allowed claim, they shall be paid in the amount stated below. Unless otherwise ordered, if relief from the automatic stay is granted as to any collateral listed in this section, all payments to the creditor as to that collateral shall cease, and the claim will no longer be provided for under § 1322(b)(5) of the Bankruptcy Code:

Name of Creditor	Description of Collateral	Estimated Pre-petition Arrears to be Cured	Estimated Post-petition Arrears to be Cured	Estimated Total to be paid in plan
Capital One Auto Finance	2017 GMC Sierra 1500 67000 miles Vehicle:	\$2,500.00	\$0.00	\$2,500.00
The Money Source Inc.	1402 Harcourt Drive Harrisburg, PA 17110 Residence: House	\$20,000.00	\$0.00	\$20,000.00

**D. Other secured claims (conduit payments and claims for which a § 506 valuation is not applicable, etc.)**

None. *If "None" is checked, the rest of § 2.D need not be completed or reproduced.*

The claims below are secured claims for which a § 506 valuation is not applicable, and can include: (1) claims that were either (a) incurred within 910 days of the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the Debtor, or (b) incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value; (2) conduit payments; or (3) secured claims not provided for elsewhere.

1. The allowed secured claims listed below shall be paid in full and their liens retained until the earlier of the payment of the underlying debt determined under nonbankruptcy law or discharge under §1328 of the Code.
2. In addition to payment of the allowed secured claim, present value interest pursuant to 11 U.S.C. §1325(a)(5)(B)(ii) will be paid at the rate and in the amount listed below, unless an objection is raised. If an objection is raised, then the court will determine the present value interest rate and amount at the confirmation hearing.
3. Unless otherwise ordered, if the claimant notifies the Trustee that the claim was paid, payments on the claim shall cease.

Name of Creditor	Description of Collateral	Principal Balance of Claim	Interest Rate	Total to be Paid in Plan
The Money Source Inc.	1402 Harcourt Drive Harrisburg, PA 17110 Residence: House	\$307,390.00	0.00%	\$111,000.00

**E. Secured claims for which a § 506 valuation is applicable. Check one.**

None. *If "None" is checked, the rest of § 2.E need not be completed or reproduced.*

**F. Surrender of Collateral. Check one.**

None. *If "None" is checked, the rest of § 2.F need not be completed or reproduced.*

G. **Lien Avoidance.** Do not use for mortgages or for statutory liens, such as tax liens. Check one.

■ None. If "None" is checked, the rest of § 2.G need not be completed or reproduced.

3. **PRIORITY CLAIMS.**

A. **Administrative Claims**

1. Trustee's Fees. Percentage fees payable to the Trustee will be paid at the rate fixed by the United States Trustee.
2. Attorney's fees. Complete only one of the following options:

- a. In addition to the retainer of \$ 194.00 already paid by the Debtor, the amount of \$ 4,806.00 in the plan. This represents the unpaid balance of the presumptively reasonable fee specified in L.B.R. 2016-2(c); or
- b. \$ \_\_\_\_\_ per hour, with the hourly rate to be adjusted in accordance with the terms of the written fee agreement between the Debtor and the attorney. Payment of such lodestar compensation shall require a separate fee application with the compensation approved by the Court pursuant to L.B.R. 2016-2(b).

3. Other. Other administrative claims not included in §§ 3.A.1 or 3.A.2 above.

*Check one of the following two lines.*

■ None. If "None" is checked, the rest of § 3.A.3 need not be completed or reproduced.

B. **Priority Claims (including, certain Domestic Support Obligations)**

Allowed unsecured claims, entitled to priority under § 1322(a) will be paid in full unless modified under § 9.

Name of Creditor	Estimated Total Payment
Internal Revenue Service	\$23,212.97
Pennsylvania Department of Revenue	\$1,000.00
Susquehanna Township Tax Authority	\$1,174.08

C. **Domestic Support Obligations assigned to or owed to a governmental unit under 11 U.S.C. §507(a)(1)(B).** Check one of the following two lines.

■ None. If "None" is checked, the rest of § 3.C need not be completed or reproduced.

4. **UNSECURED CLAIMS**

A. **Claims of Unsecured Nonpriority Creditors Specially Classified.**

*Check one of the following two lines.*

■ None. If "None" is checked, the rest of § 4.A need not be completed or reproduced.

B. **Remaining allowed unsecured claims will receive a pro-rata distribution of funds remaining after payment of other classes.**

5. **EXECUTORY CONTRACTS AND UNEXPIRED LEASES.** *Check one of the following two lines.*

■ None. If "None" is checked, the rest of § 5 need not be completed or reproduced.

6. **VESTING OF PROPERTY OF THE ESTATE.**

**Property of the estate will vest in the Debtor upon**

*Check the applicable line:*

- plan confirmation.
- entry of discharge.
- closing of case.

**7. DISCHARGE: (Check one)**

- The debtor will seek a discharge pursuant to § 1328(a).
- The debtor is not eligible for a discharge because the debtor has previously received a discharge described in § 1328(f).

**8. ORDER OF DISTRIBUTION:**

If a pre-petition creditor files a secured, priority or specially classified claim after the bar date, the Trustee will treat the claim as allowed, subject to objection by the Debtor.

Payments from the plan will be made by the Trustee in the following order:

Level 1: \_\_\_\_\_  
 Level 2: \_\_\_\_\_  
 Level 3: \_\_\_\_\_  
 Level 4: \_\_\_\_\_  
 Level 5: \_\_\_\_\_  
 Level 6: \_\_\_\_\_  
 Level 7: \_\_\_\_\_  
 Level 8: \_\_\_\_\_

*If the above Levels are filled in, the rest of § 8 need not be completed or reproduced.* If the above Levels are not filled-in, then the order of distribution of plan payments will be determined by the Trustee using the following as a guide:

Level 1: Adequate protection payments.  
 Level 2: Debtor's attorney's fees.  
 Level 3: Domestic Support Obligations.  
 Level 4: Priority claims, pro rata.  
 Level 5: Secured claims, pro rata.  
 Level 6: Specially classified unsecured claims.  
 Level 7: Timely filed general unsecured claims.  
 Level 8: Untimely filed general unsecured claims to which the Debtor has not objected.

**9. NONSTANDARD PLAN PROVISIONS**

**Include the additional provisions below or on an attachment. Any nonstandard provision placed elsewhere in the plan is void.**  
**(NOTE: The plan and any attachment must be filed as one document, not as a plan and exhibit.)**

Dated: February 27, 2023

/s/ Nicholas G. Platt

**Nicholas G. Platt 327239**  
 Attorney for Debtor

/s/ Timothy Alan Rush

**Timothy Alan Rush**  
 Debtor

By filing this document, the debtor, if not represented by an attorney, or the Attorney for Debtor also certifies that this plan contains no nonstandard provisions other than those set out in § 9.